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JUN '14 2002

TECH CENTER 1600/2900

Group Art Unit: 1632

Examiner: Unassigned

Attorney Docket: MES-01-CON2

For: Methods Of Creating Constructs Useful For Introducing Sequences Into Embryonic Stem Cells

Assistant Commissioner for Patents
Washington, D.C. 20231

Prior to examination of the above-referenced application, entry of the following amendment is respectfully requested.

Please replace the paragraph on page 6, lines 23-27 with the following paragraph:

--Figure 3A is schematic depicting the pDG4 vector. The vector contains an ampicillin resistance gene, a neomycin (Neo') gene and a green fluorescent protein (GFP) gene. On each side of the Neo' gene are two sites for ligation independent cloning along with restriction enzyme recognition sites. The sequence of pDG4 is shown in Figures 3B1-3B2 and SEQ ID NO:2.--

In Re Application of Klein et al. – App. No. 10/087,523

Remarks

By this amendment, the Figure numbers have been corrected to coincide with the substitute drawings submitted in response to the Notice to File Corrected Application Papers dated March 27, 2002. The foregoing amendment does not introduce new matter. Entry of the amendment is respectfully requested.

Enclosed herewith is a marked-up version of the changes made by this amendment. Favorable action on the merits is earnestly solicited.

Respectfully submitted,
Deltagen, Inc.

Date: May 28, 2002

Mariette A. Lapis
Mariette A. Lapis
Reg. No. 44,202
(650) 569-5100

740 Bay Road
Redwood City, CA 94063

10/087,523 - 10/087,523

In Re Application of Klein et al. - App. No. 10/087,523



Version with markings to show changes made

Page 6, lines 23- 27 have been amended as follows:

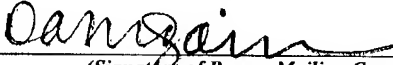
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--Figure 3A is schematic depicting the pDG4 vector. The vector contains an ampicillin resistance gene, a neomycin (Neo') gene and a green fluorescent protein (GFP) gene. On each side of the Neo' gene are two sites for ligation independent cloning along with restriction enzyme recognition sites. The sequence of pDG4 is shown in Figures 3B1-3B2 and SEQ ID NO:2, shown in Figure 3B and SEQ ID NO:2.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8) Applicant(s): Klein et al.			Docket No. MES-01-CON2	
Serial No. 10/087,523	Filing Date February 28, 2002	Examiner Unassigned	Group Art Unit 1632	
Invention: <div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; color: black; font-weight: bold; line-height: 1;"> JUN 11 2002 U.S. PATENT & TRADEMARK OFFICE </div> <div style="position: absolute; top: 10px; left: 10px; width: 80%; height: 80%;"> METHODS OF CREATING CONSTRUCTS USEFUL FOR INTRODUCING SEQUENCES INTO EMBRYONIC STEM CELLS </div> </div>				
<div style="text-align: right; margin-bottom: 20px;"> COPY OF PAPERS ORIGINALLY FILED <div style="border: 1px solid black; padding: 5px; display: inline-block;"> RECEIVED JUN 14 2002 TECH CENTER 1600/2900 </div> </div> <p>I hereby certify that this <u>PRELIMINARY AMENDMENT</u> <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on <u>May 28, 2002</u> <i>(Date)</i></p> <div style="text-align: right; margin-top: 30px;"> <u>Deborah A. Mojarro</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> </div>				
Note: Each paper must have its own certificate of mailing.				